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October 21, 2019

VIA ECF

Hon. Debra Freeman
 Daniel Patrick Moynihan
 United States Courthouse
 Courtroom 17A
 500 Pearl Street
 New York, New York 10007

**Re: Eastern Profit Corp. Ltd. v. Strategic Vision US, LLC, Case No. 18-cv-2185 (JGK)-DCF
 Golden Spring Subpoena**

Dear Judge Freeman:

In advance of our conference tomorrow, October 22, 2019, and on behalf of Defendant/Counterclaimant Strategic Vision US, LLC, we write to provide a list of the submissions that have been made on the discovery issues currently before the Court. Tomorrow's conference concerns party discovery, but we have also included the submissions regarding non-party witnesses. Thank you for your assistance with these matters.

Witness(es)	Court File Reference	Status
Plaintiff Eastern Profit Corp. Ltd.'s Fed. R. Civ. P. 30(b)(6) Corporate Representative	ECF 149, 126, 129, 134, 141	This deposition is scheduled for Oct. 30 th . New counsel for Eastern Profit and Strategic Vision's counsel have engaged in several conferences and exchanged other substantial communications about the topics appropriate for this deposition. On the Oct. 22 call, Strategic Vision will advise of the remaining topics in dispute but the most recent submission to the Court is ECF 149 by Strategic Vision.
Karin Maistrello & Golden Spring (New York) Limited	ECF 177	Maistrello, a fact witness deposed in July, has disobeyed a Court order issued September 18 th to produce documentary evidence, causing her to be in contempt under Rule 45(g). ECF 177 seeks relief in several forms to address Maistrello's contempt, including relief for the failure of the discovery agent for Eastern Profit (Golden Spring (New York) Limited) to fulfill its evidence preservation responsibilities under Fed. R. Civ. P. 37(e). ECF 177 was filed on October 16, 2019. Neither



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		Maistrello nor Golden Spring has responded to ECF 177, and the issues raised therein are outstanding and ready for decision by the Court.
Karin Maistrello	ECF 166, 168, 175	Maistrello has “addressed” Strategic Vision’s ECF 166 letter motion to enforce the Court’s Sept. 18 th order directing her to produce relevant materials by advising, for the first time, that the subject materials no longer exist or may have never existed, despite Maistrello’s testimony that the materials existed. The outstanding issue here is Strategic Vision’s request for its legal fees involved in enforcing the Sept. 18 th order. The issue is fully briefed.
Golden Spring’s Fed. R. Civ. P. 30(b)(6) Corporate Representative	ECF 164, 156, 158, 132, 136, 139	Regarding this Oct. 30 th deposition, Strategic Vision seeks to compel testimony from Golden Spring, an entity that—among other things—serves as Eastern Profit’s discovery agent in this case. The issues are fully briefed. On September 18 th , the Court ordered that a date be provided by Golden Spring for its Rule 45 deposition. It is now scheduled for Oct. 30 th .
Guo Wengui	ECF 165, 126, 135, 138, 144, 148, 150, 152, 153, 154, 155, 159	Regarding this Oct. 29 th deposition, Strategic Vision seeks guidance on the scope of questioning to fact witness Guo and to compel the witness to produce the documents requested by the Rule 45 subpoena; the issues are fully briefed. On September 18 th , the Court ordered that a date be provided by Guo for his continued deposition, and it is now scheduled for Oct. 29 th .

Respectfully submitted,

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